

1:20-mj-8

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AO 442 (Rev. 11/11) Arrest Warrant

10008084
1887-0716-1076-D

UNITED STATES DISTRICT COURT

for the

Northern District of West Virginia

United States of America
v.

Case No. 2:16cr7-1

NELSON JOSEPH BOUCHER
Defendant

2018 JUL 16 AM 11:47

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) NELSON JOSEPH BOUCHER
who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition x Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

See Attached Petition for Warrant or Summons for Offender Under Supervision

Date: Jul 16, 2018CHERYL DEAN RILEY, Clerk

Issuing officer's signature

City and state: Elkins, West VirginiaJulie Schoonover

Printed name and title

By: Julie Schoonover, Deputy Clerk

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

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PD011 12C
(Rev. 03/13 WYN)

**United States District Court
for the
Northern District of West Virginia**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: NELSON JOSEPH BOUCHER Case Number: 2:16CR7-1
Name of Sentencing Judicial Officer: Honorable John Preston Bailey, United States District Judge
Date of Original Sentence: August 16, 2016
Original Offense: Distribution of Hydrocodone
Original Sentence: Twenty-one (21) months incarceration; Three (3) years supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: March 1, 2018

PETITIONING THE COURT

☒ To issue a warrant

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Non-Compliance</u>
1.	<u>Violation of Mandatory Condition: The defendant shall not commit another federal, state, or local crime.</u>
2.	<u>Violation of Mandatory Condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.</u>
3.	<u>Violation of Standard Condition 7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</u>
4.	<u>Violation of Mandatory Condition: The defendant shall not possess a firearm, ammunition, destructive device, or other dangerous weapon, as defined in 18 U.S.C. §921.</u>

On July 10, 2018, members of the United States Probation Office conducted a home contact at the defendant's residence. During the home contact, officers discovered the defendant to be in possession of; four empty straw sections, four sealed straw sections containing what offender admitted to be heroin, one empty black makeup case, one empty soft case, four hypodermic needles, two spoons,

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Petition for Warrant or Summons
for Offender Under Supervision

one small empty baggie, one small empty canister, 18 alcohol prep pads, 21 .22 caliber rounds of ammunition and 1 baton with nails driven through the end (see attached pictures). The defendant verbally admitted the discovered items were his and further admitted to intravenous heroin use.

Previous Reports of Non-Compliance:

1) On March 29, 2018, the defendant submitted a urinalysis specimen to the United States Probation Office. The urinalysis specimen provided a presumptively positive result for methamphetamine. The defendant provided a written voluntary admission to the use of methamphetamine on March 25, 2018.

No Court action was taken.

2) On June 12, 2018, the defendant reported to Code-A-Phone drug testing at the Grant County Courthouse. Due to the defendant's physical appearance, he was questioned regarding the use of any controlled substances, at which time, he provided a written voluntary admission for the use of opiates on June 10, 2018.

No Court action was taken.

U. S. Probation Officer Recommendation: The probation officer has spoken with the defendant at length in regards to his continued drug use. The defendant has been instructed to obtain individual substance abuse treatment and/or inpatient rehabilitation; however, due to a recent back surgery, the defendant claims he cannot attend treatment at this time. The undersigned fears the defendant has fallen into a relapse that he cannot get out of and is a danger to himself and others around him. Court intervention is recommended at this time.

The term of supervision should be:

☒ Revoked*

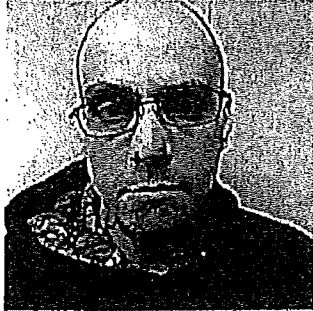
*The probation officer's request for a warrant is a recommendation that the offender be detained pending a dispositional hearing.

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Petition for Warrant or Summons
for Offender Under Supervision



Respectfully submitted,

By:

A handwritten signature in dark ink, appearing to read "Matthew Bennett".

Matthew Bennett
U. S. Probation Officer
Date: July 12, 2018

THE COURT ORDERS

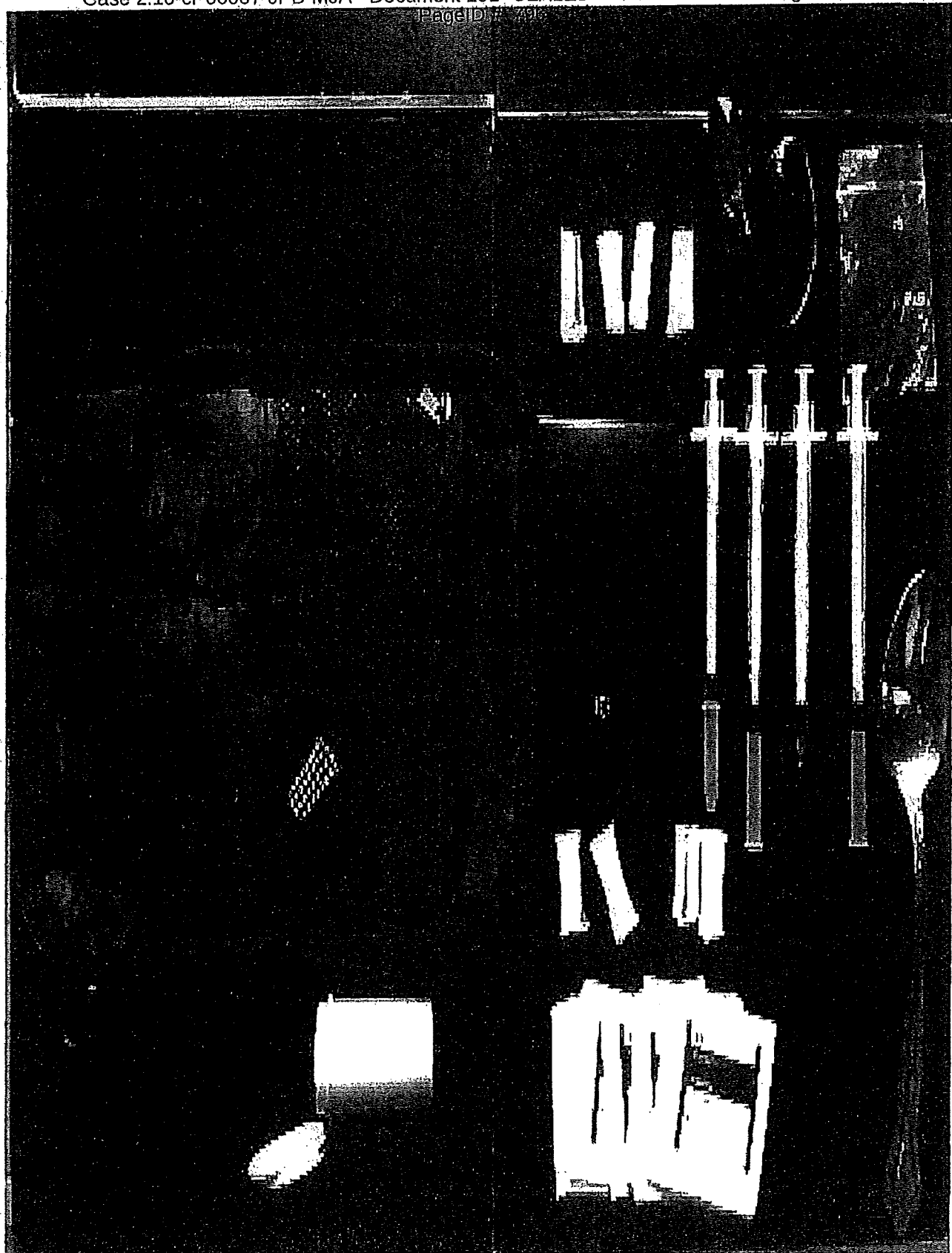
- ☒ The Issuance of a Warrant
- ☒ Upon arrest detained and the petition in this matter be unsealed
- ☐ Upon arrest released on (type) bond and the petition in this matter be unsealed
- ☐ The Issuance of a Summons
- ☐ Other
- ☐ No Action. A warrant has previously been requested pursuant to the original petition.

A handwritten signature in dark ink, appearing to be a stylized name.

Signature of Judicial Officer

7-16-2018

Date



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